

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	0

MR. SPEAKER:

Your Committee on **Family, Children and Human Affairs**, to which was referred Senate Bill 420, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 12-13-14.5-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. One (1) time every
5 ~~six (6)~~ **three (3)** months, the division shall submit a report to the budget
6 committee and to the ~~general assembly~~ **legislative council** that provides
7 data and statistical information regarding caseloads for each county for
8 child protection caseworkers, child welfare caseworkers and other
9 caseworkers under the jurisdiction of the division of family and
10 children, department of family and social services during the preceding
11 ~~six (6)~~ **three (3)** months. A report submitted under this section to the
12 ~~general assembly~~ **legislative council** must be in an electronic format
13 under IC 5-14-6.
14 SECTION 2. IC 12-13-14.5-3.5 IS ADDED TO THE INDIANA
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2005]: **Sec. 3.5. (a) This section applies after**

1 **June 30, 2008.**

2 **(b) A child protection caseworker or a child welfare caseworker**
 3 **may not be assigned work that exceeds the following maximum**
 4 **caseload levels at any time:**

5 **(1) For caseworkers assigned only initial assessments,**
 6 **including investigations of an allegation of child abuse or**
 7 **neglect, twelve (12) active cases per month per caseworker.**

8 **(2) For caseworkers assigned only ongoing cases, seventeen**
 9 **(17) active families per caseworker.**

10 **(3) For caseworkers assigned a combination of initial**
 11 **assessments and ongoing cases under subdivisions (1) and (2),**
 12 **four (4) assessments and ten (10) active ongoing cases per**
 13 **caseworker.**

14 **(c) The local child protection service shall comply with the**
 15 **maximum caseload ratios described in subsection (b)."**

16 Page 1, line 8, strike "IC 5-2-5-15" and insert "**IC 10-13-3-39**".

17 Page 4, line 23, delete "However, for a child who is less than eight
 18 (8)".

19 Page 4, delete lines 24 through 27, begin a new paragraph and insert:

20 "SECTION 7. IC 31-33-2-2 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. **(a)** The local child
 22 protection service:

23 (1) must have sufficient qualified and trained staff to fulfill the
 24 purpose of this article;

25 (2) must be organized to maximize the continuity of
 26 responsibility, care, and service of individual caseworkers toward
 27 individual children and families;

28 (3) must provide training to representatives of the child protective
 29 services system regarding the legal duties of the representatives,
 30 which may consist of various methods of informing the
 31 representatives of their duties, in order to protect the legal rights
 32 and safety of children and families from the initial time of contact
 33 during the investigation through treatment; and

34 (4) must provide training to representatives of the child protective
 35 services system regarding the constitutional rights of the child's
 36 family, including a child's guardian or custodian, that is the
 37 subject of an investigation of child abuse or neglect consistent
 38 with the Fourth Amendment to the United States Constitution and

Article I, Section 11 of the Constitution of the State of Indiana.

(b) This section expires June 30, 2008.

SECTION 8. IC 31-33-2-2.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 2.1. (a) This section applies after June 30, 2008.**

(b) The local child protection service:

(1) must have sufficient qualified and trained staff to:

(A) fulfill the purpose of this article; and

(B) comply with the maximum caseload ratios for:

(i) child protection caseworkers; and

(ii) child welfare caseworkers;

set forth in IC 12-13-14.5-3.5;

(2) must be organized to maximize the continuity of responsibility, care, and service of individual caseworkers toward individual children and families;

(3) must provide training to representatives of the child protective services system regarding the legal duties of the representatives, which may consist of various methods of informing the representatives of their duties, in order to protect the legal rights and safety of children and families from the initial time of contact during the investigation through treatment; and

(4) must provide training to representatives of the child protective services system regarding the constitutional rights of the child's family, including a child's guardian or custodian, that is the subject of an investigation of child abuse or neglect consistent with the Fourth Amendment to the United States Constitution and Article 1, Section 11 of the Constitution of the State of Indiana.

SECTION 9. [EFFECTIVE JULY 1, 2005] **(a) The division of family and children shall submit a report to the legislative council and the health finance commission established by IC 2-5-23-3 that contains statistics concerning the education levels and salaries of all:**

(1) child protection caseworkers and child welfare caseworkers; and

(2) child protection caseworker and child welfare caseworker

- 1 **supervisors;**
- 2 **not later than September 1, 2005.**
- 3 **(b) The report required by subsection (a) must be in an**
- 4 **electronic format under IC 5-14-6.**
- 5 **(c) This SECTION expires December 31, 2005."**
- 6 Renumber all SECTIONS consecutively.
 (Reference is to SB 420 as reprinted February 8, 2005.)

and when so amended that said bill do pass.

Representative Budak